

Digitized by the Internet Archive
in 2011 with funding from
Osgoode Hall Law School and Law Commission of Ontario

<http://www.archive.org/details/annualreport199394onta>

ANNUAL REPORT 1993-94

ONTARIO LAW REFORM COMMISSION



The Ontario Law Reform Commission was established by the Ontario Government in 1964 as an independent legal research institute. It was the first Law Reform Commission to be created in the Commonwealth. It recommends reform in statute law, common law, jurisprudence, judicial and quasi-judicial procedures, and in issues dealing with the administration of justice in Ontario.

Commissioners

John D. McCamus, MA, LLB, LLM, *Chair*

Richard E.B. Simeon, PhD, *Vice Chair*

Nathalie Des Rosiers, LLB, LLM

Sanda Rodgers, BA, LLB, BCL, LLM

Judge Vibert Lampkin, LLB, LLM

Counsel

J.J. Morrison, BA (Hon), LLB, LLM, *Senior Counsel*

Donald F. Bur, LLB, LLM, BCL, PhD

Barbara J. Hendrickson, MA, LLB, LLM

Howard Goldstein, BA (Hon), MES, LLB, LLM

Chief Administrator

Mary Lasica, BAA

The Commission's office is located on the Eleventh Floor at 720 Bay Street, Toronto, Ontario, Canada, M5G 2K1. Telephone (416) 326-4200. FAX (416) 326-4693.

Ce rapport est aussi disponible en français.



**Ontario
Law Reform
Commission**

To The Honourable Marion Boyd
Attorney General for Ontario

Dear Attorney:

We have the honour to present the 1993-94 Annual Report of the Ontario Law Reform Commission, for the period ending March 31, 1994, in accordance with section 2(3) of the *Ontario Law Reform Commission Act*, R.S.O. 1990.

John D. McCamus
Chair

Richard E. B. Simeon
Vice Chair

Nathalie Des Rosiers
Commissioner

Sandra Rodgers
Commissioner

Vibert Lampkin
Commissioner

TABLE OF CONTENTS

	Page
Letter of Transmittal	3
INTRODUCTION	7
THE PROJECTS	12
A. COMPLETED PROJECTS	12
1. Report on Family Property Law	12
2. Report on the Rights and Responsibilities of Cohabitants Under the <i>Family Law Act</i>	14
3. Consultation Paper on the Use of Jury Trials in Civil Cases	15
B. PROJECTS IN PROCESS	16
1. Avoiding Delay and Multiple Proceedings in the Adjudication of Workplace Disputes	16
2. The Law of Testing: Genetic and Psychological Testing	17
3. Coroners' Inquests	17
4. Charities	17
5. Basic Principles of Land Law	18
6. Euthanasia	18
7. The Use of Jury Trials in Civil Cases	18
8. Pensions as Family Property: Valuation and Divisions	19
9. Indirect Profits from Crime	19
GENERAL ACTIVITIES AND ACKNOWLEDGMENTS	20
APPENDIX A	
Reports of the Ontario Law Reform Commission	21
APPENDIX B	
Implementation of the Reports of the Ontario Law Reform Commission	26
APPENDIX C	
Judicial and Academic References to Publications of the Ontario Law Reform Commission During the Past Year	34
APPENDIX D	
Ontario Law Reform Commission Advisory Board	38
APPENDIX E	
Groups and Organizations Consulted by the Ontario Law Reform Commission	40
APPENDIX F	
Officers and Staff of the Ontario Law Reform Commission ..	42

INTRODUCTION

During the period covered by this Annual Report—April 1, 1993 to March 31, 1994—the Commission accomplished a number of objectives. The Commission, its staff and consultants continued to make substantial progress on a number of continuing projects, which are described more fully in the following pages. At the same time, however, the Commission undertook four new projects and produced reports or draft reports on them within the reporting period. Readers familiar with the nature of typical law reform projects will understand that it is quite unusual for such projects to be conceived of and completed within so short a time frame. The Commission's success in this regard during the past year could be accomplished only by a highly intense period of work by the Commission's staff and counsel and its consultants. Finally, the Commission made significant progress in the area of program development by articulating criteria for project selection and, towards the end of the reporting period, by beginning a systematic consultation exercise aimed at adding new items to our agenda of law reform projects.

At the beginning of the reporting period, the Commission signalled to the Ministry its interest in developing a series of projects on various aspects of family law. Shortly after the Commission was established in 1964, the Commission commenced a major project on family law. From 1969 to 1975, the Commission published six reports on various aspects of family law. Those pioneering volumes formed the basis for the family law reforms enacted by the province in 1978 and 1986. The current Commissioners determined that further studies of family law might now be appropriate. Sufficient time has passed to make it possible to identify unanticipated problems resulting from the new legislation. An attempt could be made to determine whether the initial objectives of the statutory reforms had accomplished the objectives motivating the reform, either in whole or in part. Recent research could be taken into account and consideration could be given to the need, if any, to respond to continuing social change with further reform.

It soon became apparent that there were at least three areas in which further study appeared not merely desirable, but a matter of some urgency. First, problems that have come to light in the interpretation and application of Part I of the *Family Law Act*, which provides for the division of family property upon the separation of spouses, need to be addressed. Second, the desirability of extending the coverage of various features of the scheme set out in the provincial family law legislation to two types of relationship that

are currently partially or wholly excluded from such coverage—cohabiting heterosexual couples and cohabiting couples of the same sex—appeared worthy of study. Third, the division of pension assets upon the dissolution of a relationship between a member of a pension plan and his or her spouse appeared to be generating much expensive conflict and litigation for separating spouses. Accordingly, the Commission undertook projects on these three topics. We were encouraged to undertake this work by the Attorney General, who indicated, as well, that it would be particularly helpful to the Ministry to have the benefit of early advice in each of these three areas.

To accomplish the latter objective, it became necessary for the Commission to put aside, for the time being, its work on other projects and to focus the energy of our staff and a newly retained group of consultants on these three projects. The Commission was able to make available draft reports on these subjects before the end of the summer of 1993. Final reports—entitled *Report on the Rights and Responsibilities of Cohabitants Under the Family Law Act* and *Report on Family Property Law*—were released by the Commission in November of that year. Further work and consultation on the draft report on pension division continued throughout the reporting period. The Commission is extremely grateful to those involved for the impressive, and at times, herculean efforts that enabled us to meet those objectives.

Two other ongoing Commission projects have arisen from expressions of interest from the Ministry. At the beginning of 1994, the Ministry transmitted to the Commission a request that had been made by the Ontario Courts Management Advisory Committee to undertake a study of the use of jury trials in civil cases. The Committee, having been advised that the frequency of jury trials in civil cases within the province is, in the Canadian context, unusually high, suggested that we examine the use made of juries in civil cases in Ontario with a view to considering possible reform of the rules concerning their availability.

Although the Commission had previously addressed this question in its *Report on Administration of Ontario Courts* (1973), it was felt that the subject should be considered afresh in the light of more recent information concerning practice in Ontario and the evolving experience in other jurisdictions. With a view to stimulating discussion of this question within the various branches of the profession, the Commission issued a consultation paper on this subject in March of this year. A final Commission report on this topic will be informed by the responses received to the consultation paper and further research undertaken by the Commission.

A further project referred to the Commission by the Minister in March of 1994 relates to the recovery of indirect profits of criminal wrongdoing.

The term “indirect profits” refers to benefits, such as royalties from books recounting criminal exploits, secured by individuals who have committed crimes. In referring the matter to the Commission, the Attorney General indicated that attention should be paid to the criminal law and procedure, the permissible limits of the criminal process, civil concepts of unjust enrichment, civil procedure and civil enforcement mechanisms, administrative law, the division of powers and freedom of expression and fundamental justice issues under the *Canadian Charter of Rights and Freedoms*.

Although a substantial proportion of the Commission’s resources were devoted to the recent initiatives outlined above, the Commission continued to make significant progress on a number of other ongoing projects. These include: psychological and genetic testing; charities; coroners’ inquests; basic principles of land law; and adjudication of workplace disputes. Brief descriptions of these projects are set out in the pages that follow.

Finally, the Commission decided to undertake a project on the difficult issues relating to the withholding and withdrawal of life-preserving medical treatment. Fortunately, the Commission was able to retain Professor Joan Gilmour of Osgoode Hall Law School, an expert in this field, to direct the project.

Useful progress in the development of our program also occurred during the reporting period. Early in the year, the Commission engaged in discussions designed to develop a more systematic approach to the question of program design. In June of 1993, the Commission adopted a set of criteria for program selection. The criteria identified by the Commission are as follows:

1. A demonstrated need for reform.
2. Likelihood that the Commission’s proposals will engage the needs and concerns of groups who would not otherwise have the resources or degree of organization to make their voices effectively heard.
3. Availability of personnel and financial resources within the Commission.
4. The nature of the subject is such that is it not likely to be subject of study by other government agencies for reasons such as the following:

- the controversial nature of the subject.
 - the importance of the subject lies in the medium to longer term future.
 - the subject is one with respect to which the government itself suffers a conflict of interest.
 - the subject is one which is not likely to attract political attention, but is nonetheless in an area in which modernization or clarification of the law can have very important long term benefits for the public.
5. Likelihood of completion in a reasonable period of time.
 6. Consistency with any Commission statement of current priorities.
 7. Potential for collaborating with other law reform bodies, government ministries, or non-governmental research groups.
 8. The absence of reports by law reform bodies or other agencies which render further study unnecessary.
 9. Likelihood of implementation of proposals for reform.

These criteria for project selection reflect many of the observations about the role of and rationale for the Commission contained in the Commission's Annual Report 1992-93.

Throughout the reporting period, the Commission continued its discussions with individuals and groups interested in possible project areas. Toward the end of the reporting period, the Commission organized three roundtable meetings to discuss possible projects. Each of the meetings was organized around a particular theme. Participants in the meetings included members of the profession, the judiciary and others who possess expertise relating to the three theme areas of commercial law, law and poverty and family law. It is anticipated that a number of new projects will be developed in the next several months as a result of these and other discussions.

The Commission was delighted to welcome a new Commissioner. On June 24, 1993, the appointment of the Honourable Vibert A. Lampkin as a member of the Commission was announced. Judge Lampkin, who obtained his LL.B. degree at the University of Toronto and his LL.M. degree at Osgoode Hall Law School, brings to the Commission the perspective and

insights developed during a distinguished career both in the general practice of law and as a member of the judiciary. The Commission is fortunate to have the benefit of Judge Lampkin's participation and guidance in its deliberations.

THE PROJECTS

A. COMPLETED PROJECTS

1. *Report on Family Property Law*

This report is one of three in which the Commission addresses a number of pressing issues in family law. The Commission considers the legitimacy of the current definition of spouse in the *Family Law Act* in its *Report on the Rights and Responsibilities of Cohabitants Under the Family Law Act* (1993), as well as complex problems that have arisen in the sharing of pensions under the equalization scheme in the *Report on Pensions as Family Property: Valuation and Division* (forthcoming).

In its *Report on Family Property Law*, the Commission recommends amendments to the legislative scheme for the equalization of the value of family property between spouses. The Commission first examined the law regarding the sharing of property between spouses in Part IV of the *Report on Family Law: Family Property Law* (1974). Its recommendations for the equalization of family property between spouses were enacted in Part I of the *Family Law Act, 1986*. In the seven years since the passage of this legislation, difficulties experienced by spouses and counsel with the operation of the statute have indicated the need for further reforms.

In its new Report, the Commission suggests changes to improve the efficiency and fairness of the equalization scheme. Since the Commission issued its first report on family property common law remedies available to spouses have evolved. Today, spouses have access to both the rights and remedies provided in the *Family Law Act* and those available at common law. In this Report, the Commission also examines the common law remedies and their continued relevance in light of a reformed statutory scheme.

The Commission makes a number of recommendations designed to ensure that the fundamental object of the legislation, the sharing of wealth generated during a relationship, is achieved. To this end, the Commission recommends that:

- the current Ontario legislation should be modified to allow for the sharing of a substantial fluctuation in the value of an asset between the statutory valuation date and the trial if necessary to ensure an equitable result, having regard to the cause of the fluctuation;

- spouses should share any change in value of an asset that a spouse acquires independently from the relationship during the relationship, such as a gift or an inheritance; and
- the law should be amended to ensure that the family home [“matrimonial home”] is treated like other assets for the purposes of equalization.

While the Commission strongly supports the principle that spouses should always share any change in the value of a family home during a relationship and reaffirms spousal rights to possession of the home and restrictions on the ability of a spouse to encumber or dispose of the home, it believes that the current practice of preventing a spouse from deducting the value of a home owned at the date of marriage, or acquired independently of the marriage, is unfair.

The Commission recommends the introduction of new measures to discourage avoidance of the Act. The Commission proposes a “claw back” of the value of an asset disposed of by a spouse with the intent of avoiding the legislative sharing of the value of family property. If that spouse has insufficient assets to satisfy an equalization payment calculated on the basis of a “claw back”, the Commission recommends that the other spouse have the right to apply to have the transaction reversed. To succeed in such an application, the spouse would have to demonstrate that both the spouse-transferor and the transferee intended to defeat a claim a spouse may have under the Act by the transaction. If the impugned transaction occurred within three months of the same spouse initiating a separation, the Commission recommends that the statute should create a presumption that the spouse had the requisite intent. No such presumption should extend to the intent of the transferee.

The Commission also recommends changes in the statutory provisions respecting equalization upon the death of a spouse. The Commission recommends that a spouse’s property should be valued immediately after death and that the value of any insurance benefits should be included in the property of the survivor. Surviving spouses should be given additional time to make decisions about whether to elect statutory equalization and retain possession of the family home after death. The Commission makes proposals to increase the flexibility of the statutory provisions, including amending the Act to allow a spouse to revoke an election at any time with leave of a judge and to confirm that a substitute decision-maker may make an election for an incapacitated surviving spouse.

The Report examines the interaction of statutory and common law remedies for the sharing of family property between spouses. Spouses have

sought declarations of remedial constructive trust to compensate for problems in the operation of the statute, as currently drafted. For example, many spouses make such applications to share in post-valuation date fluctuations in value. If the Commission's recommendations to remedy problems with the operation of the existing equalization provisions are acted on, the need for the common law remedy will diminish correspondingly. The Commission considers the disadvantages of the common law remedy. The remedial constructive trust suffers from uncertainty of application of the doctrine and creates evidentiary difficulties that add significantly to litigation costs. The Commission concludes that spouses who receive the benefit of statutory equalization of family property should be denied the right to seek declarations of trust as restitution for a contribution to the acquisition, preservation, or enhancement of property held by the other spouse.

2. Report on the Rights and Responsibilities of Cohabitants Under the Family Law Act

In its *Report on the Rights and Responsibilities of Cohabitants Under the Family Law Act*, the Commission addresses the question of who should be entitled to the rights, and subject to the obligations, set out in the *Family Law Act*. Specifically, the Commission addresses the kinds of relationship that should invoke the provisions of the Act, which deal with such matters as the equal sharing of the value of property accumulated during a relationship at the time of its breakdown, possession of the family home, support obligations, domestic contracts, and the assertion of claims for damages in the event of the death of, or injury to, a family member. Currently, unmarried heterosexual cohabitants are recognized in only some of the Act's provisions, namely those concerning support obligations, domestic contracts, and dependants' claims for damages. Same-sex cohabitants are not subject to any of the provisions of the Act. The Report considers potential constitutional challenges to the current legislative scheme, as well as relevant policy issues.

The Commission concludes that the *Family Law Act* should be amended to include two types of relationship that, at present, are partly or wholly excluded, that is, those between cohabiting but unmarried heterosexual couples, and those between cohabiting couples of the same sex. The Commission recommends that unmarried heterosexual couples who have lived together for a defined period of time, or who are parenting a child, be given the same rights and responsibilities as married persons throughout the *Family Law Act*.

The Commission also recommends that a system of Registered Domestic Partnerships be established that would permit any two individuals, including same-sex couples, to become Registered Domestic Partners and that the *Family Law Act* should be amended to extend to these individuals the same rights and obligations available to married persons throughout the Act. Registered Domestic Partnerships would be created upon the filing by two persons of a witnessed and signed registration form. Registration should be permitted for any two individuals who are neither married nor the Registered Domestic Partner of another, and who are at least eighteen years of age. If one or both of the persons entering the partnership fails to comply with these requirements, the Registered Domestic Partnership should be void. The Commission further recommends that a Registered Domestic Partner should be entitled to revoke the partnership unilaterally, upon giving notice to the other partner.

The Commission recommends that the *Family Law Act* should be amended to provide that same-sex couples have the same right to enter into cohabitation and separation agreements currently enjoyed by unmarried heterosexual couples. The Commission, however, recommends that the Legislature should acquire further information concerning attitudes and expectations within the gay and lesbian community before imposing rights and responsibilities under the *Family Law Act* on same-sex couples who do not exercise the right to become Registered Domestic Partners.

In addition, the Commission makes a series of recommendations for consequential amendments to the *Family Law Act* necessitated by the proposed expansion of its application.

3. Consultation Paper on the Use of Jury Trials in Civil Cases

The *Consultation Paper on the Use of Jury Trials in Civil Cases* was intended to initiate public discussion of the relative merits of the civil jury. By presenting tentative recommendations, the Commission hoped to stimulate a debate about the value of the jury in civil matters. The insights gained from this debate will assist the Commission in reaching its final recommendations, which will be contained in the Commission's forthcoming *Report on the Use of Jury Trials in Civil Cases*.

The Consultation Paper summarizes arguments for and against the retention of the jury for the adjudication of civil matters. Among the arguments presented in favour of retaining the jury for most civil matters are: civil juries act as a safeguard against judicial bias and impropriety; juries allow for direct public involvement in the administration of civil justice and

in the setting of community standards; juries have been proven to be competent factfinders; and jury service is an important means of educating the public about our legal system. Among the arguments against the retention of the civil jury are: jury trials take longer and are more expensive than trials by judge alone; jury notices are primarily tactical devices; and juries are not competent factfinders.

After evaluating the competing arguments the paper reaches the tentative conclusion that civil jury trials should be retained in Ontario only for cases for which it would be useful to have representatives of the community participate in resolving the dispute because community values, attitudes or priorities are the predominant issues in the case. If implemented, this would reverse the existing presumption that juries are available for most civil trials and would require a litigant to show that the predominant issues in an action concern the values, attitudes or priorities of the community in order to be granted the right to a jury. The Commission is grateful to Paul M. Perrell of the law firm Weir & Foulds, for his assistance in preparing the Consultation Paper.

B. PROJECTS IN PROCESS

1. *Avoiding Delay and Multiple Proceedings in the Adjudication of Workplace Disputes*

The purpose of this project is to consider whether the adjudication of workplace disputes is taking place as effectively and expeditiously as possible. A Director's Report, prepared by Professor Bernard Adell, of the Faculty of Law, Queen's University, has been considered by the Commission.

In this project, the Commission considers the interaction and potential for conflict or overlapping jurisdiction among the following tribunals or processes: the Labour Relations Board; grievance arbitration; *Employment Standards Act* referees; appeals conducted by the Director of Appeals under the *Occupational Health and Safety Act*; *Ontario Human Rights Code* boards of inquiry; the Pay Equity Commission; and the Employment Equity Commission.

In addition, the Commission's study will examine whether aspects of administrative law are in need of reform as they relate to workplace disputes adjudication.

2. *The Law of Testing: Genetic and Psychological Testing*

The Ontario Law Reform Commission has embarked on four studies of the law of testing. The Commission's *Report on Testing for AIDS* was released on March 12, 1992, and its *Report on Drug and Alcohol Testing in the Workplace* was released on September 9, 1992. The Commission continues to examine the areas of genetic and psychological testing in contexts such as the workplace, schools, and other institutional settings. These projects will consider when and how to balance an individual's right to privacy and the public's right to information.

3. *Coroners' Inquests*

Originally, the Commission initiated a project on public inquiries that included a review of inquiries under the *Public Inquiries Act* as well as inquests under the *Coroners Act*. Subsequently, however, it was decided to publish separate reports. The *Report on Public Inquiries* was released in March of 1992, and work continues on the project on coroners' inquests. The project will examine the tension between pursuit of the public interest and, under certain circumstances, the protection of persons suspected of wrongdoing. The project Director is Professor Allan Manson, of the Faculty of Law, Queen's University.

4. *Charities*

Following a reference from the Attorney General, the Commission commenced a study of the law of charities in Ontario. The Project Director is Professor David Stevens, of the Faculty of Law, McGill University.

In this project, the Commission examines the status, legal form, sources and uses of revenue, and supervision of charities. Among the specific issues canvassed are the following: (1) the type of activity that should benefit from the advantages accorded to charities; (2) whether organizations aimed at accomplishing political purposes should be considered charitable; (3) whether it is appropriate that charities be created by means of different legal forms (trusts, corporations, and unincorporated associations); (4) whether the investment powers of charities should be subject to restriction; (5) whether charities should be entitled to own for-profit organizations or to carry on business directly; (6) whether charitable fundraising activities should be controlled; and (7) who should be responsible for regulating charities, and by what means.

5. *Basic Principles of Land Law*

Three research papers, containing recommendations for reform of the basic principles of land law, have been prepared and considered by the Commission over the course of the project. T.G. Youdan, then a professor at Osgoode Hall Law School, York University, now of the law firm of Davies, Ward & Beck, was retained and has submitted a draft report to the Commission, which aims to simplify some of the complexities of land law in Ontario such as: successive estates and interests in land; qualified estates and interests in land; the Rule in *Shelley's Case*; co-ownership; and easements and profits.

6. *Euthanasia*

In *Rodriguez v. B.C. (A.G.)*, the Supreme Court of Canada affirmed the *Criminal Code* prohibition against assisting suicide, concluding that it did not breach the *Canadian Charter of Rights and Freedoms*. The decision brought to the fore concerns about the state of the law relating not only to that issue (active euthanasia), but also with respect to decision-making about withholding and withdrawing life-preserving treatment more generally. This project will involve a review and analysis of the current law and the vast biomedical ethical literature in this area, as well as a comparative overview of the law in other jurisdictions. Enforcement policies and standards of professional conduct in Ontario and other provinces will also be considered. The goal is to make recommendations for the clarification and reform of provincial law.

Given the strong opinions generated by this topic, this project necessarily requires an extensive consultation process. The Commission will seek to maximize the involvement of both the professional and lay communities.

7. *The Use of Jury Trials in Civil Cases*

The report on the use of jury trials in civil cases will build on the insights obtained from the consultation process surrounding the Commission's *Consultation Paper on the Use of Jury Trials in Civil Cases*. It will present empirical data to assess whether jury trials do in fact take longer and are more expensive than trials by judge alone. In addition, the Report will describe other research undertaken in response to comments arising out of the consultation process. The Commission will conclude the Report with its final recommendations concerning the use of jury trials in civil cases.

8. *Pensions as Family Property: Valuation and Division*

Since 1986, pensions have been included as family property, and therefore subject to the equalization process set out in Part I of the *Family Law Act*. The division and valuation of pensions in Ontario has been a problematic process. Currently, the law gives little guidance with respect to the appropriate methods of valuing pension benefits. In addition, the provisions of the *Pension Benefits Act*, enacted in 1988 to provide a scheme for the division of pensions at source, have produced their own problems. As a result, Ontario has a complicated and unsatisfactory pension division process. Although reforms have been recommended in the past, no legislative change has resulted. Given the importance of this area and the unsatisfactory nature of current Ontario law, the Commission has determined that the division of pensions should assume a prominent place on its agenda of family reform issues. In its final report, the Commission will make recommendations for reform of the law relating to the division of pensions upon marriage breakdown.

The Commission will deal with four areas of reform: (1) the status of plan administered "if and when" agreements and orders under section 51 of the *Pension Benefits Act*; (2) guidelines for the valuation of pensions for equalization purposes under the *Family Law Act*; (3) the creation of pension division at source as an additional settlement option under the *Family Law Act*; and (4) the division of Canada Pension Plan benefits under the *Family Law Act*.

9. *Indirect Profits from Crime*

In this project, the Commission examines the feasibility of enacting provincial legislation preventing or restricting individuals from making a profit, for example, by the publication of books, from circumstances surrounding the fact that they had been charged and convicted of a criminal offence. The Commission is examining whether such legislation should be enacted at all and, if so, whether it should be designed merely to prevent profits from being made by criminals, or whether it should also have the goal of compensating the victims of crime.

GENERAL ACTIVITIES AND ACKNOWLEDGMENTS

It is difficult, of course, to assess the impact of the Commission's work during a particular year or, indeed, over a longer period. Nonetheless, the Commission was gratified to note that the lengthy list of provincial legislation implementing Commission proposals was again added to in the past year. The *Public Service and Labour Relations Statute Law Amendment Act, 1993*, implements proposals set out in the Commission's 1986 *Report on Political Activity, Public Comment and Disclosure by Crown Employees*. A review of recent judicial decisions and periodical literature confirms that the Commission's reports continue to be considered by the courts and of assistance to the academic and law reform communities.

Attached to this report are six Appendices relating to the activities and staff of the Commission. Appendix A lists reports and other documents prepared and submitted by the Commission since its inception in 1964. Appendix B indicates the extent to which the Commission's recommendations have been enacted. Appendix C provides a non-exhaustive list of articles and cases that have come to our attention during the past year in which the Commission's reports have been reviewed or cited. Appendix D contains a list of the members of the Ontario Law Reform Commission Advisory Board. Appendix E contains a list of the groups and organizations consulted by the Commission during the year. Finally, Appendix F lists the officers and permanent staff of the Commission.

The past year has seen a number of significant changes in the composition of the Commission's staff. Departing during the year were Sarah M. Boulby, Counsel; Annetta Charles, Administrative Assistant; Mary M. O'Hara, Secretary to the Chief Administrator and Sharon Hattori, Secretary to Counsel. The Commission wishes to express its appreciation to these individuals for their dedication and their contribution to the work of the Commission during the year. We extend a sincere welcome to Howard Goldstein, Counsel who has recently joined the Commission. We also extend our thanks to the Commission's administrative and secretarial staff for their support and assistance during the past year.

During the 1994-95 year, the Commission looks forward to the continuation of work on our projects in process, and to the further development of our research agenda in consultation with members of the bar, the judiciary, agencies of the government, academics, and other interested persons in the community.

APPENDIX A

REPORTS OF THE ONTARIO LAW REFORM COMMISSION

Title	Date of Report
Report No. 1 [The Rule Against Perpetuities]	1965
Report No. 1A: The Perpetuities Act, 1965 [Supplementary Report on the Rule Against Perpetuities]	1966
Report No. 2 [The Wages Act: Assignment of Wages]	1965
Report No. 3 on Personal Property Security Legislation	1965
Report No. 3A on Personal Property Security Legislation	1966
Report on The Evidence Act: Admissibility of Business Records	1966
Report on The Mechanics' Lien Act	1966
Supplementary Report on The Mechanics' Lien Act	1967
Report on the Proposed Extension of Guarantor's Liability on Construction Bonds	1966
Report on The Execution Act: Exemption of Goods from Seizure	1966
Report on the Law of Condominium	1967
Report on the Basis for Compensation on Expropriation	1967
Report on the Limitation Period for Actions under The Sandwich, Windsor and Amherstburg Railway Act, 1930	1968
Annual Report 1967	1968
Report on Certain Aspects of the Proposed Divorce Legislation Contained in Bill C-187	1968
Report on the Proposed Adoption in Ontario of The Uniform Wills Act	1968
Report on The Protection of Privacy in Ontario	1968
Report on Section 183 of The Insurance Act	1968
Report on Trade Sale of New Houses	1968
Interim Report on Landlord and Tenant Law Applicable to Residential Tenancies	1968

Title	Date of Report
Report on Limitation of Actions	1969
Second Annual Report 1968	1969
Report on the Age of Majority and Related Matters	1969
Report on the Status of Adopted Children	1969
Report on Family Law, Part I: Torts	1969
Report on Section 20 the The Mortgages Act	1970
Report on Family Law, Part II: Marriage	1970
Third Annual Report 1969	1970
Report on Actions Against Representatives of Deceased Persons	1970
Report on the Coroner System in Ontario	1971
Report on Sunday Observance Legislation	1971
Report on Land Registration	1971
Fourth Annual Report 1970	1971
Report on The Change of Name Act	1971
Report on The Mortgages Act, Section 16	1971
Report on Development Control	1971
Report on Powers of Attorney	1972
Report on Occupiers' Liability	1972
Report on Consumer Warranties and Guarantees in the Sale of Goods	1972
Report on Review of Part IV of The Landlord and Tenant Act	1972
Fifth Annual Report 1971	1972
Report on the Non-Possessory Repairman's Lien	1972
Report on the Administration of Ontario Courts, Part I	1973
Sixth Annual Report 1972	1973
Report on the Administration of Ontario Courts, Part II	1973
Report on Family Law, Part III: Children	1973
Report on The Solicitors Act	1973
Report on Motor Vehicle Accident Compensation	1973
Report on the Administration of Ontario Courts, Part III	1973
Report on Family Law, Part IV: Family Property Law	1974

Title	Date of Report
Report on Family Law, Part V: Family Courts	1974
Seventh Annual Report 1973	1974
Report on the International Convention Providing a Uniform Law on the Form of the International Will	1974
Eighth Annual Report 1974	1975
Report on Family Law, Part VI: Support Obligations	1975
Report on Mortmain, Charitable Uses and Religious Institutions	1976
Report on Landlord and Tenant Law	1976
Report on the Law of Evidence	1976
Ninth Annual Report 1975	1976
Report on Changes of Name	1976
Report on the Impact of Divorce on Existing Wills	1977
Tenth Annual Report 1976	1977
Eleventh Annual Report 1977	1978
Report on Sale of Goods	1979
Twelfth Annual Report 1978	1979
Report on Products Liability	1979
Thirteenth Annual Report 1979	1980
Report on the Enforcement of Judgment Debts and Related Matters, Part I	1981
Report on the Enforcement of Judgment Debts and Related Matters, Part II	1981
Report on the Enforcement of Judgment Debts and Related Matters, Part III	1981
Fourteenth Annual Report 1980-81	1981
Report on Witnesses Before Legislative Committees	1981
Report on Class Actions	1982
Fifteenth Annual Report 1981-82	1982
Report on the Enforcement of Judgment Debts and Related Matters, Part IV	1983
Report on the Enforcement of Judgment Debts and Related Matters, Part V	1983
Report on Powers of Entry	1983
Sixteenth Annual Report 1982-83	1983
Report on the Law of Trusts	1984
Seventeenth Annual Report 1983-84	1984

Title	Date of Report
Report on Human Artificial Reproduction and Related Matters	1985
Twentieth Anniversary Report 1984-85	1985
Twenty-First Annual Report 1985-86	1986
Report on Political Activity, Public Comment and Disclosure by Crown Employees	1986
Report on Amendment of the Law of Contract	1987
Report on the Law of Mortgages	1987
Twenty-Second Annual Report	1987
Report on Compensation for Personal Injuries and Death	1987
Report on Contribution Among Wrongdoers and Contributory Negligence	1988
Report on Timesharing	1988
Twenty-Third Annual Report 1987-88	1988
Study Paper on Wrongful Interference with Goods	1989
Report on the Law of Standing	1989
Report on Covenants Affecting Freehold Land	1989
Report on Liability of the Crown	1989
Report on Damages for Environmental Harm	1990
Report on the Basis of Liability for Provincial Offences	1990
Report on Administration of Estates of Deceased Persons	1991
Report on Exemplary Damages	1991
1991 Ontario Law Reform Commission Report	1991
Appointing Judges: Philosophy, Politics and Practice	1991
Report on Child Witnesses	1991
Report on Testing for AIDS	1992
Report on Public Inquiries	1992
Summary of Recommendations	1992
Annual Report 1991-92	1992
Report on Drug and Alcohol Testing in the Workplace	1992
Report on the Powers of the Ontario Film Review Board	1992
Study Paper on Litigating the Relationship Between Equity and Equality	1993
Annual Report 1992-93	1993
Report on Family Property Law	1993

Report on the Rights and Responsibilities of Cohabitants Under the <i>Family Law Act</i>	1993
Consultation Paper on the Use of Jury Trials in Civil Cases	1994
Annual Report 1993-94	1994

Copies of the Commission's Reports that are still in print may be ordered from Publications Services, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, Ontario, Canada M7A 1N8. Telephone (416) 326-5300. Toll free long distance 1-800-668-9938.

APPENDIX B

IMPLEMENTATION OF THE REPORTS OF THE ONTARIO LAW REFORM COMMISSION

Title	Date of Report	Original Legislation Concerning Commission Proposals
Report No. 1 [The Rule Against Perpetuities]	1965	<i>The Perpetuities Act, 1966,</i> S.O. 1966, c. 113
Report No. 1A: The Perpetuities Act, 1965 [Supplementary Report on the Rule Against Perpetuities]	1966	<i>do.</i>
Report No. 2 [The Wages Act: Assignment of Wages]	1965	<i>The Wages Amendment Act,</i> 1968, S.O. 1968, c. 142
Report No. 3 on Personal Property Security Legislation	1965	<i>The Personal Property Security Act, 1967, S.O.</i> 1967, c. 72
Report No. 3A on Personal Property Security Legislation	1966	<i>do.</i>
Report on The Evidence Act: Admissibility of Business Records	1966	<i>The Evidence Amendment Act, 1966, S.O. 1966, c. 51,</i> s. 1
Report on The Mechanics' Lien Act	1966	<i>The Mechanics' Lien Act,</i> 1968-69, S.O. 1968-69, c. 65
Supplementary Report on The Mechanics' Lien Act	1967	<i>do.</i>
Report on the Proposed Extension of Guarantor's Liability on Construction Bonds	1966	See <i>The Mechanics' Lien Amendment Act, 1975,</i> S.O. 1975, c. 43 <i>The Ministry of Transportation and Communications Creditors Payment Act,</i> 1975, S.O. 1975, c. 44

Title	Date of Report	Original Legislation Concerning Commission Proposals
		<i>The Public Works Creditors Payment Repeal Act, 1975, S.O. 1975, c. 45</i>
Report on The Execution Act: Exemption of Goods from Seizure	1966	The Execution Amendment Act, 1967, S.O. 1967, c. 26
Report on the Law of Condominium	1967	<i>The Condominium Act, 1967, S.O. 1967, c. 13</i>
Report on the Basis for Compensation on Expropriation	1967	<i>The Expropriations Act, 1968-69, S.O. 1968-69, c. 36</i>
Report on the Limitation Period for Actions under The Sandwich, Windsor and Amherstburg Railway Act, 1930	1968	<i>The Sandwich Windsor and Amherstburg Railway Amendment Act, 1968, S.O. 1968, c. 120</i>
Report on Certain Aspects of the Proposed Divorce Legislation Contained in Bill C-187	1968	<i>Divorce Act, S.C. 1967-68, c. 24, s. 26</i>
Report on the Proposed Adoption in Ontario of The Uniform Wills Act	1968	<i>The Succession Law Reform Act, 1977, S.O. 1977, c. 40</i> See <i>The Registry Amendment Act, 1978, S.O. 1978, c. 8, s. 1</i>
Report on The Protection of Privacy in Ontario	1968	See <i>The Consumer Reporting Act, 1973, S.O. 1973, c. 97</i>
Report on Trade Sale of New Houses	1968	See <i>The Ontario New Home Warranties Plan Act, 1976, S.O. 1976, c. 52</i>
Interim Report on Landlord and Tenant Law Applicable to Residential Tenancies	1968	<i>The Landlord and Tenant Amendment Act, 1968-69, S.O. 1968-69, c. 58</i>

Title	Date of Report	Original Legislation Concerning Commission Proposals
Report on Limitation of Actions	1969	<p data-bbox="889 358 1257 500">See <i>The Highway Traffic Amendment Act</i> (No. 2), 1975, S.O. 1975, c. 37</p> <p data-bbox="950 541 1249 649">The Fatal Accidents Amendment Act, 1975, S.O. 1975, c. 38</p> <p data-bbox="950 691 1257 799"><i>The Trustee Amendment Act</i>, 1975, S.O. 1975, c. 39</p>
Report on the Age of Majority and Related Matters	1969	<i>The Age of Majority and Accountability Act</i> , 1971, S.O. 1971, c. 98
Report on the Status of Adopted Children	1969	<i>The Child Welfare Amendment Act</i> , 1970, S.O. 1970, c. 96, s. 23
Report on Family Law, Part I: Torts	1969	<i>The Family Law Reform Act</i> , 1978, S.O. 1978, c. 2 (partial implementation)
Report on Section 20 of The Mortgages Act	1970	<i>The Mortgages Amendment Act</i> , 1970, S.O. 1970, c. 54, s. 1
Report on Family Law, Part II: Marriage	1970	<p data-bbox="889 1437 1263 1586"><i>The Civil Rights Statute Law Amendment Act</i>, 1971, S.O. 1971, c. 50, s. 55 (partial implementation)</p> <p data-bbox="889 1627 1214 1701"><i>The Marriage Act</i>, 1977, S.O. 1977, c. 42</p>
Report on Actions Against Representatives of Deceased Persons	1970	<i>The Trustee Amendment Act</i> , 1971, S.O. 1971, c. 32, s. 2
Report on the Coroner System in Ontario	1971	<i>The Coroners Act</i> , 1972, S.O. 1972, c. 98
Report on Sunday Observance Legislation	1971	<i>The Retail Business Holidays Act</i> , 1975, S.O. 1975 (2nd Session), c. 9

Title	Date of Report	Original Legislation Concerning Commission Proposals
Report on Land Registration	1971	<p><i>Courts of Justice Act, 1984, S.O. 1984, c. 11, s. 134</i></p> <p>See <i>The Corporations Tax Amendment Act (No. 2), 1979, S.O. 1979, c. 89</i></p> <p><i>Land Registration Reform Act, 1984, S.O. 1984, c. 32</i></p>
Report on The Change of Name Act	1971	<p><i>The Change of Name Amendment Act, 1972, S.O. 1972, c. 44</i></p> <p><i>Change of Name Act, 1986, S.O. 1986, c. 7</i></p>
Report on Development Control	1971	<p><i>The Planning Amendment Act, 1973, S.O. 1973, c. 168, s. 10</i></p>
Report on Powers of Attorney	1972	<p><i>The Powers of Attorney Act, 1979, S.O. 1979, c. 107</i></p> <p><i>Powers of Attorney Amendment Act, 1983, S.O. 1983, c. 74</i></p> <p><i>Mental Health Amendment Act, 1983, c. 75</i></p>
Report on Occupiers' Liability	1972	<p><i>The Occupiers' Liability Act, 1980, S.O. 1980, c. 14</i></p>
Report on Review of Part IV of The Landlord and Tenant Act	1972	<p><i>The Landlord and Tenant Amendment Act, 1972, S.O. 1972, c. 123</i></p>
Report on the Non-Possessory Repairman's Lien	1972	<p><i>Repair and Storage Liens Act, 1989, S.O. 1989, c. 17 (partial implementation)</i></p>
Report on the Administration of Ontario Courts, Part I	1973	<p>See <i>The Administration of Courts Project Act, 1975, S.O. 1975, c. 31</i></p>

Title	Date of Report	Original Legislation Concerning Commission Proposals
		<p><i>The Judicature Amendment Act</i> (No. 2), 1977, S.O. 1977, c. 51, s. 9</p> <p><i>Courts of Justice Act</i>, 1984, S.O. 1984, c. 11, ss. 19 and 25</p>
Report on the Administration of Ontario Courts, Part II	1973	<p><i>Courts of Justice Act</i>, 1984, S.O. 1984, c. 11, s. 162</p> <p>See <i>The Administration of Courts Project Act</i>, 1975, S.O. 1975, c. 31</p>
Report on Family Law, Part III: Children	1973	<p><i>The Child Welfare Amendment Act</i>, 1975, S.O. 1975, c. 1 (partial implementation)</p> <p><i>The Succession Law Reform Act</i>, 1977, S.O. 1977, c. 40 (partial implementation)</p> <p><i>The Children's Law Reform Act</i>, 1977, S.O. 1977, c. 41 (partial implementation)</p> <p>See <i>Children's Law Reform Amendment Act</i>, 1982, S.O. 1982, c. 20</p>
Report on The Solicitors Act	1973	<i>Courts of Justice Act</i> , 1984, S.O. 1984, c. 11, s. 214(6)
Report on the Administration of Ontario Courts, Part III	1973	<p><i>The Judicature Amendment Act</i>, 1975, S.O. 1975, c. 30 (partial implementation)</p> <p>See <i>The Administration of Courts Project Act</i>, 1975, S.O. 1975, c. 31</p> <p><i>The Small Claims Courts Amendment Act</i>, 1977, S.O. 1977, c. 52 (partial implementation)</p>

Title	Date of Report	Original Legislation Concerning Commission Proposals
Report on Family Law, Part IV: Family Property Law	1974	<p><i>The Succession Law Reform Act, 1977, S.O. 1977, c. 40 (partial implementation)</i></p> <p><i>The Family Law Reform Act, 1978, S.O. 1978, c. 2 (partial implementation)</i></p> <p><i>Family Law Act, 1986, S.O. 1986, c. 4 (partial implementation)</i></p> <p>See <i>The Land Titles Amendment Act, 1978, S.O. 1978, c. 7</i></p> <p><i>The Registry Amendment Act, 1978, S.O. 1978, c. 8</i></p>
Report on Family Law, Part V: Family Courts	1974	<p>See <i>The Unified Family Court Act, 1976, S.O. 1976, c. 85</i></p> <p><i>The Children's Probation Act, 1978, S.O. 1978, c. 41 (partial implementation)</i></p>
Report on the International Convention Providing a Uniform Law on the Form of the International Will	1974	<p><i>The Succession Law Reform Act, 1977, S.O. 1977, c. 40, s. 42</i></p>
Report on Family Law, Part VI: Support Obligations	1975	<p><i>The Succession Law Reform Act, 1977, S.O. 1977, c. 40 (partial implementation)</i></p> <p><i>The Family Law Reform Act, 1978, S.O. 1978, c. 2</i></p>

Title	Date of Report	Original Legislation Concerning Commission Proposals
Report on Mortmain, Charitable Uses and Religious Institutions	1976	<p><i>The Religious Organizations' Lands Act, 1979, S.O. 1979, c. 45</i></p> <p><i>The Anglican Church of Canada Act, 1979, S.O. 1979, c. 46</i></p> <p><i>The Registry Amendment Act, 1979, S.O. 1979, c. 94, s. 17</i></p> <p><i>Charities Accounting Amendment Act, 1982, S.O. 1982, c. 11</i></p> <p><i>Mortmain and Charitable Uses Repeal Act, 1982, S.O. 1982, c. 12, s. 1(1)</i></p>
Report on Landlord and Tenant Law	1976	<p><i>The Residential Tenancies Act, 1979, S.O. 1979, c. 78 (partial implementation)</i></p>
Report on Changes of Name	1976	<p><i>The Change of Name Amendment Act, 1978, S.O. 1978, c. 28</i></p> <p><i>The Vital Statistics Amendment Act, 1978, S.O. 1978, c. 81, s. 1 (partial implementation)</i></p> <p><i>Change of Name Act, 1986, S.O. 1986, c. 7 (partial implementation)</i></p> <p><i>Vital Statistics Amendment Act, 1986, S.O. 1986, c. 9 (partial implementation)</i></p>
Report on the Impact of Divorce on Existing Wills	1977	<p><i>The Succession Law Reform Act, 1977, S.O. 1977, c. 40, s. 17(2)</i></p>
Report on the Enforcement of Judgment Debts and Related Matters, Part II	1981	<p><i>Wages Amendment Act, 1983, S.O. 1983, c. 68 (partial implementation)</i></p>

Title	Date of Report	Original Legislation Concerning Commission Proposals
		<i>Proceedings Against the Crown Amendment Act, 1983, S.O. 1983, c. 88</i>
		<i>Courts of Justice Act, 1984, S.O. 1984, c. 11, s. 177 (partial implementation)</i>
		<i>Rules of Civil Procedure, O. Reg. 560/84, r. 60 (partial implementation)</i>
Report on the Enforcement of Judgment Debts and Related Matters, Part III	1981	<i>Rules of Civil Procedure, O. Reg. 560/84, r. 60.07(16) and (17)</i>
Report on Class Actions	1982	<i>Class Proceedings Act, 1992, S.O. 1992, c. 6 (partial implementation)</i>
Report on the Enforcement of Judgment Debts and Related Matters, Part V	1983	<i>Creditors' Relief Amendment Act, 1985, S.O. 1985, c. 1 (partial implementation)</i>
Report on Political Activity, Public Comment and Disclosure by Crown Employees	1986	<i>Public Service and Labour Relations Statute Law Amendment Act, 1993, S.O. 1993, Chap. 38</i>
Report on Compensation for Personal Injuries and Death	1987	<i>Courts of Justice Amendment Act, 1989, S.O. 1989, c. 67 (partial implementation)</i>

Copies of the Commission's Reports that are still in print may be ordered from Publications Services, Ministry of Government Services, 5th Floor, 880 Bay Street, Toronto, Ontario, Canada M7A 1N8. Telephone (416) 326-5300. Toll free long distance 1-800-668-9938.

APPENDIX C

JUDICIAL AND ACADEMIC REFERENCES TO PUBLICATIONS OF THE ONTARIO LAW REFORM COMMISSION DURING THE PAST YEAR*

Report on the Basis for Compensation on Expropriation (1967)

Neill v. British Columbia, [1993] B.C.J. No. 1162

Report on Limitation of Actions (1969)

Modern Livestock Ltd. v. Kansa General Insurance Co., [1993]
A.J. No. 575

Report on Family Law, Part II: Marriage (1970)

Al-Smadi (Father and Next Friend of), [1994] M.J. No. 13

Report on the Coroner System in Ontario (1971)

Manson, "Standing in the Public Interest at Coroner's Inquests in
Ontario" (1988), 20 Ottawa L. Rev. 637
Granger, *Canadian Coroner Law* (1984)

Stanford v. Harris (1989), 38 Admin. L.R. 141

Report on Sunday Observance Legislation (1971)

Coles Book Stores Ltd. v. The Queen in Right of Ontario (1991),
60 O.R. (3d) 673, 88 D.L.R. (4th) 312

* This is a non-exhaustive list of articles and cases which have come to the Commission's attention during the period covered by this report (April 1, 1993 to March 31, 1994) in which the Commission's publications have been reviewed or considered. A cumulative list, including reviews and consideration in past years, is available from the Commission on request.

Report on Consumer Warranties and Guarantees in the Sale of Goods (1972)

Ogilvie (ed.), *Consumer Law* (1984)

Report on Powers of Attorney (1972)

Axler v. Axler, [1993] O.J. No. 1060

Report on Motor Vehicle Accident Compensation (1973)

Ison, *Policy Choices in Compensation Systems* (1994)

Linden and Klar, *Canadian Tort Law: Cases, Notes & Materials* (1994)

Report on Family Law, Part IV: Family Property Law (1974)

Hovius and Youdan, *The Law of Family Property* (1991)

Duca Community Credit Union Ltd. v. Duca Automotive Ltd., [1994] O.J. No. 1162

Buske v. Buske (1988), 63 O.R. (2d) 749 (Dist. Ct.)

Report on Family Law, Part VI: Support Obligations (1975)

Walsh v. Elliot, [1994] B.C.J. No. 292

Report on Sale of Goods (1979)

Barclays Business Credit Inc. v. Fletcher Challenge Canada Ltd. (1993), 13 O.R. (3d) 118

Report on Class Actions (1982)

Sutherland v. Canadian Red Cross Society, [1994] O.J. No. 315

Abdool v. Anaheim Management Ltd. (1993), 15 O.R. (3d) 39

Re Buday and Locator of Missing Heirs Inc. (1993), 16 O.R. (3d) 257

Bendall v. McGhaw Medical Corp. (1993), 14 O.R. (3d) 734

Report on Amendment of the Law of Contract (1987)

Dudka v. J. Milestone, [1994] N.S.J. No. 187

Report on Compensation for Personal Injuries and Death (1987)

Cunningham v. Wheeler, [1994] 1 S.C.R. 359

Report on Timesharing (1988)

Ziff, Principles of Property Law (1993)

Report on the Law of Standing (1989)

Hy and Zel's Inc. v. Ontario; Paul Magder Furs Ltd. v. Ontario, [1993]
3 S.C.R. 113

Report on Covenants Affecting Freehold Land (1989)

Ziff, Principles of Property Law (1993)

Report on the Basis of Liability for Provincial Offences (1990)

R. v. Nickel City Transport (Sudbury) Ltd. (1993), 14 O.R. (3d) 115

Appointing Judges: Philosophy, Politics and Practice (1991)

Symies v. Canada, [1993] 4 S.C.R. 695

Report on Exemplary Damages (1991)

Peeters v. Canada, [1993] F.C.J. No. 1146

Report on Child Witnesses (1991)

McGillivray, "Debunking Myths: Children in the Civil Courts"
Manitoba Law Review (1992), 21 Man. L.J. 151

R. v. G.S., [1994] B.J. No. 964
R. v. Toten (1993), 14 O.R. (3d) 225

Report on Testing for AIDS (1992)

Casswell, Book Review of Ontario Law Reform Commission Report on Testing for AIDS (1993), 72 Canadian Bar Rev. 265
Sears, Book Review of the Ontario Law Reform Commission, *Report on the Testing for AIDS* (1993), 4 Windsor Rev. of Legal & Soc. Issues 158

Report on Public Inquiries (1992)

Armstrong, "The Public Inquiry: Two Suggestions for Reform" (1994), 43 U.N.B.L.J. 377
Kaiser, "The Public Inquiry and the Presumption of Innocence: The Prospects for Mutual Survival" (1994), 43 U.N.B.L.J. 391
Roach, "Public Inquiries, Projections or Both?" (1994), 43 U.N.B.L.J. 415
Stalker, "The Projection of Individual Rights and the Public Inquiry" (1994), 43 U.N.B.L.J. 427

Hryciuk v. Ontario, [1994] O.J. No. 1086
Phillips v. Nova Scotia (Westray Mine Public Inquiry) (1993), 100 D.L.R. (4th) 79

Report on the Rights and Responsibilities of Cohabitants Under the Family Law Act (1993)

Holland and Stalbecker-Petley, *Cohabitation: The Law in Canada* (1994)
MacDonald, Weiler, Mesbur, Perkins and Wilton (eds.), *Law and Practice under the Family Law Act of Ontario* (1994)

Report on Family Property Law (1993)

MacDonald, Weiler, Mesbur, Perkins and Wilton (eds.), *Law and Practice under the Family Law Act of Ontario* (1994)

APPENDIX D

ONTARIO LAW REFORM COMMISSION ADVISORY BOARD

Madam Justice Rosalie S. Abella
Court of Appeal for Ontario

Joanne Campbell
General Manager
Metro Toronto Housing Co. Ltd.

Mr. Justice Marvin Catzman
Court of Appeal for Ontario

Marshall Cohen
C.E.O.

The Molson Companies Ltd.

Anne R. Dubin
Tory, Tory, DesLauniers & Binnington

Her Honour Judge Mary F. Dunbar
Ontario Court of Justice
(Provincial Division)

Professor Margrit Eichler
Sociology Department
The Ontario Institute for Studies in Education

Catherine Frazee
Vice Chair
Workers' Compensation Appeals Tribunal

Robert Fulford

Professor Philippe Gargue
International Studies,
Glendon College

Edward L. Greenspan
Greenspan, Rosenberg

Mr. Justice Jack D. Ground
Ontario Court of Justice
(General Division)

Professor Peter W. Hogg
Osgoode Hall Law School
York University

Dr. Ron Ianni
President
University of Windsor

Roberta Jamieson
Ombudsman

Mr. Justice John Jennings
Ontario Court of Justice
(General Division)

Stephen Lewis

Marie Marchand
Project Co-ordinator
Women into Apprenticeship

Chief Justice R. Roy McMurtry
Ontario Court of Justice
(General Division)

Associate Chief Justice John Morden
Court of Appeal for Ontario

J. Robert S. Prichard
President
University of Toronto

Mr. Justice Edward Saunders
Ontario Court of Justice
(General Division)

Graham Scott
McMillan, Binch

Mr. Justice James M. Spence
Ontario Court of Justice
(General Division)

Janet Stewart
Lerner & Associates

Professor Katherine Swinton
Faculty of Law
University of Toronto

Associate Chief Justice Robert J.K. Walmsley
Special Adviser to Chief Judge
Ontario Court of Justice
(Provincial Division)

APPENDIX E

GROUPS AND ORGANIZATIONS CONSULTED BY THE ONTARIO LAW REFORM COMMISSION

In its projects, the Ontario Law Reform Commission consults regularly with members of the Bench, the Bar, the academic community, provincial and federal government ministries and agencies, and various persons, organizations and governmental institutions in other jurisdictions. In addition to the foregoing, during 1993-94 the Commission consulted with a wide range of groups and organizations, including the following:

Alberta Employment Pension Division, Department of Labour

Alberta Law Reform Institute

Advocacy Resource Centre for the Handicapped

Canadian Life & Health Insurance Association

Molecular Genetics Laboratory, North York General Hospital

Canadian Bar Association - Ontario (Family Subsection)

Canadian Bar Association - Ontario (Pension Subsection)

Canadian Institute of Actuaries

Division of Clinical Genetics, The Hospital for Sick Children

Toronto Biotech

Information and Privacy Commissioner/Ontario

Ontario Federation of Labour

Superintendent of Financial Institutions - Canada

Treasury Board - Canada

Ontario Women's Health Bureau

Public Health Branch, Ontario Ministry of Health

Law Reform Commission of British Columbia

Chief Medical Director, Crown Life Insurance Company

Bioethics Department, The Hospital for Sick Children

Manitoba Pension Commission

Centre for Bioethics, University of Toronto

Cystic Fibrosis Foundation

Newfoundland Pension Benefits Standards Division, Department of Finance
Nova Scotia Pension Benefits Division, Department of Finance
Office of the Director of Employment Standards
Office of the Director of Labour Standards
Office of the Occupational Health and Safety Adviser
Ontario Labour Relations Board
Ontario Ministry of Labour
Ontario Ministry of Finance
Ontario Pension Board
Ontario Teacher's Superannuation Commission
Ontario Women's Directorate
Muscular Dystrophy Association of Canada
Pay Equity Commission
Pension Commission of Ontario
Policy Development Division, Ontario Ministry of the Attorney General
Quebec Pension Board
Superintendent of Pensions, New Brunswick
Superintendent of Pensions, Prince Edward Island
Superintendent of Pensions, Saskatchewan
Genetic Services, Chedoke-McMaster Hospital
Department of Genetics, The Hospital for Sick Children

APPENDIX F
OFFICERS AND STAFF
ONTARIO LAW REFORM COMMISSION

Chair	John D. McCamus, MA, LLB, LLM
Vice Chair	Richard E.B. Simeon, PhD
Commissioners	Nathalie Des Rosiers, LLB, LLM Sanda Rodgers, BA, LLB, BCL, LLM Judge Vibert Lampkin, LLB, LLM*
Counsel	J.J. Morrison, BA (Hon), LLB, LLM, Senior Counsel Donald F. Bur, LLB, LLM, BCL, PhD Barbara J. Hendrickson, MA, LLB, LLM Howard Goldstein, BA (Hon), MES, LLB, LLM Christine B. Henderson, BA, LLB, is on secondment to the Legal Services Branch, Ministry of Health, until March 31, 1995.
Chief Administrator	Mary Lasica, BAA
Secretary to Chair	Tina Afonso
Librarian	Carol Frymer, BA
Secretaries to Counsel	Cora Calixterio D.M. Halyburton

* Appointed during the year

